IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO.5404 OF 2005

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.

Court's or Judge's orders

Mr. C.J.Sawant, Senior Advocate with Mr. V.C. Ghosalkar, for the Petitioner
Mr. Y.D. Mulani, AGP for Respondent Nos. 1 to 3.
Mr. Y.R. Naik, for Respondent NO.4.

CORAM : F.I. REBELLO &
DR.D.Y.CHANDRACHUD, JJ.
DATED : 9TH SEPTEMBER, 2005
P.C.

. Rule. Heard forthwith. The grievance of the petitioner is that she is the owner of the property and without notice to her respondent No.3 registered the respondent No.4. On behalf of the respondent No.4 learned Counsel contends that the previous owner has sold 24 tenements in the premises to the occupants and, therefore, the contention of the petitioner that she is the owner is devoid of merits. It is also pointed out that the petitioner herself is not an occupant of the building.

2. Considering what has been placed before us in the petition we think it proper that the impugned order be set aside and the matter be remanded back to

respondent No.3 to pass appropriate orders according to law within a period of 3 months from today after hearing the petitioners and the proposed society represented by the respondent No.4. In the meantime the status quo as of present to be maintained. Rule made absolute accordingly. No order as to costs.

3. It will be open to respondent No.4 to amend the application subject to whatever objections that the petitioner may have.

(F.I. REBELLO, J.)

(DR. D.Y.CHANDRACHUD, J)